

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

After entry of the foregoing amendment, Claims 1-13 remain pending in the present application. Claims 1-13 have been amended to address cosmetic matters of form and to clarify that Claim 7 does not recite elements which invoke 35 U.S.C. § 112, sixth paragraph. No new matter has been added.

By way of summary, the Official Action presents the following issues: the Information Disclosure Statements filed on March 21, 2005 and April 28, 2006 have been considered with the exception of portions of the IDS provided on March 21, 2005; the title of the invention has been objected to as to matters of form; the Abstract and disclosure of the invention have been objected to as to matters of form; Claims 6 and 12 stand objected to as to matters of form; Claim 13 stands rejected under 35 U.S.C. § 101; and Claims 1-13 stand rejected under 35 U.S.C. § 103 as being unpatentable over “A Secure Registration Protocol for Media Appliances in Wireless Home Networks” (hereinafter Kumar) in view of Karaoguz (US Patent Publication 2004/0117650, hereinafter Karaoguz) in view of Friedman (US Patent 5,757,924, hereinafter Friedman).

INFORMATION DISCLOSURE STATEMENT

The Official Action has indicated the IDS, filed March 21, 2005, is not in compliance with 37 C.F.R. § 1.97. In this regard, Applicants respectfully direct the Examiner’s attention to MPEP § 609, which states:

Where the information listed is not in the English language, but **was cited in a search report** or other action by foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of **the search report** or action which indicates the degree of relevance found

by the foreign office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, **or merely an “X”, “Y”, or “A” indication on a search report.**¹

Applicants note that a corresponding search report was filed along with the IDS of March 21, 2005 indicating the relevance of the listed reference as either “X” “Y” or “A.”

Therefore, Applicants have complied with their duty of disclosure under 37 C.F.R. 1.98 and MPEP § 609². Accordingly, Applicants respectfully submit that the references cited in the IDS of March 5, 2005 are required to be considered and request indication of such in the next communication.

OBJECTIONS TO THE SPECIFICATION

Several objections to the specification are outlined at paragraph 5 of the Official Action. As Applicants have submitted a new title herewith, provided a shortened Abstract, and have deleted hyperlinks from the specification, Applicants respectfully request that the objections to the specification be withdrawn.

OBJECTIONS TO THE CLAIMS

At paragraph 6 of the Official Action, it was noted that inconsistent terminology was being utilized in Claims 6 and 12 with respect to “level” and “layer.” As such, Applicants have amended Claims 6 and 12 to recite “layer.” Accordingly, Applicants respectfully request that the objection of Claims 6 and 12 be withdrawn.

¹ MPEP § 609, page 600-129.

² Furthermore, it is believed that the USPTO provides translation services for Examiners if the Examiner believes that a certain reference may be pertinent and not adequately described in the statement of relevance. Applicants encourage the Examiner to use these translation services consistent with examination guidelines.

REJECTION UNDER 35 U.S.C. § 101

At paragraph 7 of the Official Action, Claim 13 was rejected as reciting an improper format. In this regard, Applicants have amended Claim 13 to recite a computer readable storage medium in accordance with M.P.E.P. § 2106. Accordingly, Applicants respectfully request that the rejection of Claim 13 under 35 U.S.C. § 101 be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 103

The Official Action has rejected Claims 1-13 under 35 U.S.C. § 103 as being unpatentable over Kumar and Karaoguz in view of Friedman. The Official Action contends that the combination of Kumar, Karaoguz and Friedman describe all of the Applicants' claimed features. Applicants respectfully traverse the rejection.

Applicants' amended Claim 1 recites, *inter alia*, a communication processing apparatus for executing a communication process via a network, including:

a communication unit configured to implement a communication process related to an authentication process according to a predetermined authentication method, the communication process being performed in order to acquire secret information permitted to be disclosed only to devices in a local network corresponding to said authentication method; unique identification information of a communication destination device in said communication process is acquired by data processing at a network layer or lower of an OSI reference model; unique identification information of an authentication partner device is acquired in an authentication sequence of said authentication method as data processing at an application layer of the OSI reference model; said acquired unique identification information of said communication destination device is compared with said acquired unique identification information of said authentication partner device; and based upon a successful match resulting from the compared data, a process is executed to judge whether said authentication partner device is a device connected to a same local network as a local network to which a local device being a communication source device is connected. (emphasis added)

Kumar describes a method of authenticating communicating devices. As described at page 111 of Kumar a key exchange is utilized for authenticating devices. As noted in the Official Action at page 5, Kumar fails to teach unique identification information of a communication destination device in a communication process is acquired by data processing at a network layer or lower of an OSI reference model; unique identification information of an authentication partner device is acquired in an authentication sequence of the authentication method as data processed at an application layer of the OSI reference model. In this regard, the Official Action cites Karagouz.

Karagouz describes a media exchange network (100) which includes a plurality of devices which communicate in accordance with a secure media peripheral association and authentication procedure. As outlined at paragraph [0043] of Karagouz devices may be identified by an IP address, a capital MAC address, or the like. While the Official Action states that paragraph [0039], lines 5-8 of Karagouz describes application layer processing, there is no application layer processing described. Moreover, Applicants note that the claims require that unique identification information is acquired in an authentication sequence as data processed at an application layer. Neither Kumar nor Karagouz describes this more detailed aspect of the Applicants' claimed advancements.³ Accordingly, Applicants respectfully request that the rejection of Claims 1-13 under 35 U.S.C. § 103 be withdrawn.

³ Although the Official Action cites the Friedman reference, Applicants note that this reference has not been applied against the independent claims. As such, this reference need not be discussed further as the dependent claims are allowable at least for the reasons discussed above.

CONCLUSION

Consequently, in view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including Claims 1-13, is in condition for allowance, and such action is respectfully requested at an early date.

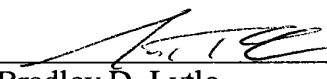
Respectfully submitted,

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